

REMARKS

Claims 11-14, 16-17, and 19 are pending. Claims 17 and 19 are presently amended. Claim 16 has been canceled.

The present office action indicates that it is responsive to the communication filed 01 August 2006. However, the referenced date appears to match the date of the previous non-final office action and not the date of the Applicants' previous response, dated 07 December 2006. The Applicants request clarification on this matter as the Applicants are not aware of any response submitted on 01 August 2006.

Furthermore, the Applicants respectfully request clarification as to claims deemed allowed by the Examiner in the office action dated 17 May 2007. The office action summary indicates that claims 11, 13 and 14 are allowed and that claims 16-17 and 19 are rejected. However, rejections are only provided for claim 16 (35 U.S.C. §103(a) and claim 19 (35 U.S.C. §101). Page 4 of the office action states that claims 11, 13-14, 17 and 19 are free of the prior art. Furthermore, claim 17 was previously objected to and deemed free of the prior in the office action dated 01 August 2006, but now is listed as rejected.

The Applicants acknowledge the Examiner's withdrawal of rejections to claims 11, 13, and 14.

Reconsideration of this Application is respectfully requested.

No new matter is added by way of these amendments as support for this amendment may be found throughout the specification and original claims, and as more specifically described below. Therefore, Applicants request that the amendments be entered.

Claim Rejections:

35 U.S.C. §103

The Examiner has maintained a rejection to Claims 16 under 35 U.S.C. § 103(a) as being unpatentable over Heide *et al.* (1995, German Patent Number DE

4423022C1, USPTO English translation) in light of Pichersky *et al.* (1993, *PNAS* 83(11):3880-3884). Claims 11,13-14, 17, and 19 are deemed free of the prior art, although claim 17, as noted office action summary section of the present office action, stands rejected.

Applicants' Response:

Claim 16 has been cancelled. Claim 17 has been amended to remove the dependency to claim 16.

CONCLUSION

In view of the foregoing, Applicants respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. The Applicants believe that the present claim amendments and remarks are proper in response to final rejection and should be admitted. Therefore, allowance of the above-referenced application is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,



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